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|---|---|
| Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address Rabin J. Pournazarian 186735 6345 Balboa Blvd. Suite 247 Encino, CA 91316 818-995-4540 Fax: 818-995-9277 186735 CA rabin@pricelawgroup.com | FOR COURT USE ONLY |
| UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA | |
| In re: <div style="text-align: center; padding: 10px;"> Kalani James Robert Green </div> | <div style="border-bottom: 1px solid black; padding-bottom: 5px;"> CASE NO: 8:21-bk-12425-ES CHAPTER 13 </div> <div style="text-align: center; padding: 10px;"> NOTICE OF MOTION AND MOTION IN INDIVIDUAL CASE FOR ORDER IMPOSING A STAY OR CONTINUING THE AUTOMATIC STAY AS THE COURT DEEMS APPROPRIATE (with supporting declarations) </div> <div style="padding: 5px;"> DATE: November 4, 2021 TIME: 10:00AM COURTROOM: N/A PLACE: Via ZoomGov </div> |
| Debtor(s). | |

Movant: Kalani James Robert Green

1. NOTICE IS HEREBY GIVEN to 1800 LOAN MART, BROADMOOR HUNTINGTON HARBOR COMMUNITY ASSOCIATION, CAPITAL ONE AUTO FINANCE, SHELLPOINT MORTGAGE AND ALL INTERESTED PARTIES (Secured Creditor/Lessor), trustee (if any), and affected creditors (Responding Parties), their attorneys (if any), and other interested parties that on the above date and time and in the stated courtroom, Movant in the above-captioned matter will move this court for an order imposing a stay or continuing the automatic stay as to certain creditors and actions described in the motion on the grounds set forth in the attached motion.

2. **Hearing Location:**

| | |
|---|--|
| <input type="checkbox"/> 255 East Temple Street, Los Angeles, CA 90012 <input type="checkbox"/> 21041 Burbank Boulevard, Woodland Hills, CA 91367 <input type="checkbox"/> 3420 Twelfth Street, Riverside, CA 92501 | <input checked="" type="checkbox"/> 411 West Fourth Street, Santa Ana, CA 92701 <input type="checkbox"/> 1415 State Street, Santa Barbara, CA 93101 |
|---|--|

3. a. ☒ This Motion is being heard on REGULAR NOTICE pursuant to LBR 9013-1. If you wish to oppose this Motion,

you must file a written response to this motion with the court and serve a copy of it upon the Movant's attorney (or upon Movant, if the motion was filed by an unrepresented individual) at the address set forth above no less than 14 days before the above hearing and appear at the hearing of this motion.

- b. ☐ This motion is being heard on SHORTENED NOTICE. If you wish to oppose this motion, you must appear at the hearing. Any written response or evidence must be filed and served: ☐ at the hearing ☐ at least ___ days before the hearing.
- (1) ☐ An Application for Order Setting Hearing on Shortened Notice was not required (according to the calendaring procedures of the assigned judge).
- (2) ☐ An Application for Order Setting Hearing on Shortened Notice was filed per LBR 9075-1(b) and was granted by the court and such motion and order has been or is being served upon the appropriate creditor(s) and trustee, if any.
- (3) ☐ An Application for Order Setting Hearing on Shortened Notice has been filed and remains pending. Once the court has ruled on that motion, you will be served with another notice or an order that will specify the date, time and place of the hearing on the attached motion and the deadline for filing and serving a written opposition to the motion.
4. You may contact the Clerk's Office or use the court's website (www.cacb.uscourts.gov) to obtain a copy of an approved court form for use in preparing your response (optional court form F 4001-1.RESPONSE), or you may prepare your response using the format required by LBR 9004-1 and the Court Manual.
5. If you fail to file a written response to the motion or fail to appear at the hearing, the court may treat such failure as a waiver of your right to oppose the Motion and may grant the requested relief.

Date: **October 11, 2021**

Price Law Group, APC

Printed name of law firm (if applicable)

Rabin J. Pournazarian 186735

Printed name of individual Movant or attorney for Movant

/s/ Rabin J. Pournazarian

Signature of individual Movant or attorney for Movant

MOTION FOR ORDER IMPOSING A STAY OR CONTINUING THE AUTOMATIC STAY AS THE COURT DEEMS APPROPRIATE

Movant: Kalani James Robert Green

1. The Property or Debt at Issue:

- a. ☒ Movant moves for an order imposing a stay with respect to the following property (Property):
- ☒ Vehicle (describe year, manufacturer, type, and model): **1992 Harley Davidson**
Vehicle Identification Number: **1HD1BML10NY013140**
Location of vehicle (if known): **Debtor's residence**
- ☒ Vehicle (describe year, manufacturer, type, and model): **2012 Ford E350**
Vehicle Identification Number: **1FTSS3EL8CDB33304**
Location of vehicle (if known): **Debtor's residence**
- ☐ Equipment (describe manufacturer, type, and characteristics):
Serial number(s):

Location (if known):
- ☐ Other Personal Property (describe type, identifying information, and location):
- ☒ Real Property
Street Address: **16411 Martin Lane**
Apt./Suite No.:
City, State, Zip Code: **Huntington Beach, CA 92649**
Legal description or document recording number(include county of recording): **See attached as Exhibit "A"**
- ☐ See attached continuation page

The following creditor(s) have a security interest or unexpired lease in this Property (give full name and address of creditor) **See Schedule D attached As Exhibit "B"** to secure the sum of approximately \$ **248,016.38** now owed. (Secured Creditor/Lessor). Additional creditors who are the subject of this motion, and their respective claims, addresses and collateral, are described on the continuation sheets attached. (Attach additional sheets as necessary)

- b. ☐ Movant moves for an order **imposing a stay** with respect to *any and all actions* against the Debtor and the estate taken concerning the debt/lease owed to the Secured Creditors/Lessors as described in this motion; and/or
- c. ☐ Movant moves for an order **imposing a stay** as to all creditors.
- d. ☐ Movant moves for an order **continuing the automatic stay** with respect to any and all actions against the Debtor and the estate taken concerning the debt/lease owed to the Secured Creditor/Lessor, and/or
- e. ☒ Movant moves for an order **continuing the automatic stay** as to all creditors.

2. Case History:

- a. ☒ A voluntary ☐ An involuntary petition concerning an individual[s] under chapter ☐ 7 ☐ 11 ☐ 12
☒ 13 was filed concerning the present case on (specify date): **10/5/2021**
- b. ☐ An Order of Conversion to Chapter ☐ 7 ☐ 11 ☐ 12 ☐ 13 was entered on (specify date):
- c. ☐ Plan was confirmed on (specify date):

- d. ☒ Other bankruptcy cases filed by or against this Debtor have been pending within the past year preceding the petition date in this case. These cases and the reasons for dismissal are:

1. Case name: **In re Kalani James Robert Green**
Case number: **8:19-bk-14807-ES** Chapter: **13**
Date Filed: **12/12/2019** Date dismissed: **8/25/2021**
Relief from stay re this Property ☒ was ☐ was not granted
Reason for dismissal: **The Debtor was unable to make plan payments.**

2. Case name:
Case number: Chapter:
Date Filed: Date dismissed:
Relief from stay re this Property ☐ was ☐ was not granted
Reason for dismissal:

☐ See attached continuation page

- e. ☐ As of the date of this motion the Debtor ☐ has ☐ has not filed a statement of intentions regarding this Property as required under 11 U.S.C. §521(a)(2). If a statement of intentions has been filed, Debtor ☐ has ☐ has not performed as promised therein.
- f. ☒ The first date set for the meeting of creditors under 11 U.S.C §341(a) is/was **11/9/2021** and the court ☐ has ☒ has not fixed a later date for performance by Debtor of the obligations described at 11 U.S.C. §521(a)(2). The extended date (if applicable) is ____.
- g. ☐ In a previous case(s), as of the date of dismissal there was:
☐ an action by the Secured Creditor/Lessor under 11 U.S.C. §362(d) still pending or
☐ such action had been resolved by an order terminating, conditioning or limiting the stay as to such creditor.

3. The equity in the property is calculated as follows:

| | |
|--|----------------------|
| a) 1. Property description/value: 16411 Martin Lane, Huntington Beach, CA 92649 | \$ 850,000.00 |
| 2. Creditor/Lien amount: Shellpoint Mortgage | \$ 226,627.00 |
| 3. Creditor/Lien amount: Broadmoor Huntington Harbor Com. As | \$ 5,000.00 |
| 4. Creditor/Lien amount: _____ | \$ _____ |
| 5. Creditor/Lien amount: _____ | \$ _____ |
| 6. Total Liens | \$ 231,627.00 |
| 7. Debtor's Homestead Exemption | \$ 600,000.00 |
| 8. Equity in the Property (subtract lines 6 and 7 from line 1 and enter here) | \$ 18,373.00 |
| | |
| b) 1. Property description/value: 1992 Harley Davidson | \$ 10,000.00 |
| 2. Creditor/Lien amount: 1800 Loan Mart | \$ 4,566.60 |
| 3. Creditor/Lien amount: _____ | \$ _____ |
| 4. Creditor/Lien amount: _____ | \$ _____ |
| 5. Creditor/Lien amount: _____ | \$ _____ |
| 6. Total Liens | \$ 4,566.60 |
| 7. Debtor's Homestead Exemption | \$ 3,325.00 |
| 8. Equity in the Property (subtract lines 6 and 7 from line 1 and enter here) | \$ 2,108.40 |

☒ See attached continuation page

| | | |
|-------|--|----------------------|
| c) 1. | Property description/value: <u>2012 Ford E350</u> | \$ <u>15,000.00</u> |
| 2. | Creditor/Lien amount: <u>Capital One Auto Finance</u> | \$ <u>11,822.78</u> |
| 3. | Creditor/Lien amount: <u> </u> | \$ <u> </u> |
| 4. | Creditor/Lien amount: <u> </u> | \$ <u> </u> |
| 5. | Creditor/Lien amount: <u> </u> | \$ <u> </u> |
| 6. | Total Liens | \$ <u>11,822.78</u> |
| 7. | Debtor's Homestead-Exemption | \$ <u> </u> |
| 8. | Equity in the Property (subtract lines 6 and 7 from line 1 and enter here) | \$ <u>3,177.22</u> |

4. **Grounds for Continuing the Stay:**

- a. ☒ Pursuant to 11 U.S.C. § 362(c)(3) the stay should be continued on the following grounds:
1. ☒ The present case was filed in good faith notwithstanding that a prior single or joint case filed by or against the individual Debtor which was pending within the year preceding the petition date was dismissed, because:
- A. ☒ The prior dismissal was of a case not refiled under chapter 7 after dismissal under 11 U.S.C. § 707(b);
- B. ☒ Good faith is shown because the Debtor suffered through untreated deep grief and depression, exacerbated by the pandemic, causing him to fall behind with his plan payments. The Debtor is now seeing a mental health professional, and he feels stable enough to maintain his plan payments and fulfill his financial obligations.
- ☐ See attached continuation page
2. ☒ The Property is of consequential value or benefit to the estate because:
- A. ☒ The fair market value of the Property is greater than all liens on the Property as shown above in paragraph 3 and as supported by declarations attached (*describe separately as to each property*);.
- B. ☒ The Property is necessary to a reorganization for the following reasons: the real property is the Debtor's principal residence. The Debtor needs the vehicles to commute to and from work.
- ☐ See attached continuation page
- C. ☐ The Secured Creditor/Lessor's interest can be adequately protected by (describe Movant's proposal for adequate protection:) ____
- ☐ See attached continuation page
3. ☒ The presumption of a bad faith filing under 11 U.S.C. § 362(c)(3)(C)(i) is overcome in this case as to *all creditors* because:
- A. ☐ The prior dismissal was pursuant to the creation of a debt repayment plan. 11 U.S.C. § 362(i);
- B. ☐ Debtor's failure to file or amend the petition or other documents as required by the court or Title 11 of the United States Code and resulting in dismissal was excusable because such failure was caused by the negligence of Debtor's attorney;
- C. ☐ Debtor's failure to file or amend the petition or other documents as required by the court or Title 11 of the United States Code and resulting dismissal was excusable because ____
- ☐ See attached continuation page

D. ☐ Debtor's failure to provide adequate protection as ordered by the court in the prior case is excusable because ____

☐ See attached continuation page

E. ☐ Debtor's failure to perform the terms of a confirmed plan in the prior case is excusable because ____

☐ See attached continuation page

F. ☒ There has been a substantial change in the personal or financial affairs of the Debtor since the dismissal of the prior case(s) as follows: **The Debtor is seeing a mental health professional and is stable enough to maintain regular plan payments.**

From this, the court may conclude that this case, if a case under chapter 7, will result in a discharge or, if under chapter 11 or 13, in a confirmed plan that will be fully performed.

☐ See attached continuation page

G. ☒ For the following additional reasons **The Debtor has the income to maintain timely plan payments and mortgage payments. He is proposing a 100% repayment to his unsecured creditors.**

☐ See attached continuation page

4. ☒ The presumption of a bad faith filing as to the Secured Creditor/Lessor under 11 U.S.C. §362(c)(3)(C)(ii) is overcome in this case because **the Debtor suffered through untreated deep grief and depression, exacerbated by the pandemic, causing him to fall behind with his plan payments. The Debtor is now seeing a mental health professional, and he feels stable enough to maintain his plan payments and fulfill his financial obligations.**

☐ See attached continuation page

5. **Grounds for Imposing a Stay:**

a. ☐ Pursuant to 11 U.S.C. §362(c)(4) this case was filed in good faith and grounds exist for imposing a stay as follows:

1. ☐ The Property is of consequential value or benefit to the estate because the fair market value of the Property is greater than all liens on the property as shown above in paragraph 3 and as supported by declarations attached.

2. ☐ The Property is of consequential value or benefit to the estate because the Property is necessary to a reorganization for the following reasons: ____.

☐ See attached continuation page

3. ☐ The Secured Creditor/Lessor's interest can be adequately protected by *(describe Movant's proposal for adequate protection)*: ____

☐ See attached continuation page

- b. ☐ The present case was filed in good faith notwithstanding that the prior single or joint cases filed by or against the individual Debtor pending within the year preceding the petition date were dismissed, because:

1. ☐ The prior dismissal was of a case not refiled under chapter 7 after dismissal under 11 U.S.C. §707(b);
2. ☐ Good faith is shown because ____

☐ See attached continuation page

- c. ☐ The presumption of a bad faith filing under 11 U.S.C. §362(c)(4)(D)(i) is overcome in this case as to *all creditors* because:

1. ☐ Debtor had a substantial excuse in failing to file or amend the petition or other documents as required by the court or Title 11 of the United States Code, resulting in the prior dismissal(s) as follows: ____

☐ See attached continuation page

2. ☐ Debtor's failure to file or amend the petition or other documents as required by the court or Title 11 of the United States Code and resulting dismissal was as the result of the negligence of Debtor's attorney;
3. ☐ Debtor's failure to provide adequate protection as ordered by the court in the prior case is excusable because ____

☐ See attached continuation page

4. ☐ Debtor's failure to perform the terms of a confirmed plan in the prior case is excusable because ____

☐ See attached continuation page

5. ☐ There has been a substantial change in the personal or financial affairs of the Debtor since the dismissal of the prior case(s) as follows: ____

(from which the Court may conclude that this case, if a case under chapter 7, may be concluded with a discharge or, if under chapter 11 or 13, with a confirmed plan that will be fully performed).

☐ See attached continuation page

6. ☐ For the following additional reasons ____

☐ See attached continuation page

7. ☐ The presumption of bad faith as to the Secured Creditor/Lessor under 11 U.S.C. §362(c)(4)(D)(ii) is overcome in this case because ____

☐ See attached continuation page

6. **Evidence in Support of Motion: (*Important Note: Declaration(s) in support of the Motion MUST be attached hereto*).**

- a. ☒ Movant submits the attached Declaration(s) on the court's approved forms (if applicable) to provide evidence in support of this Motion pursuant to LBRs.
- b. ☒ Other Declaration(s) are also attached in support of this Motion
- c. ☐ Movant requests that the court consider as admissions the statements made by Debtor under penalty of perjury concerning Movant's claims and the Property set forth in Debtor's(s') Schedules. Authenticated copies of the relevant portions of the Schedules are attached as Exhibit **B**.
- d. ☒ Other evidence (*specify*): **Legal description of Property attached as Exhibit "A".**

7. ☐ **An optional Memorandum of Points and Authorities is attached to this Motion.**

WHEREFORE, Movant prays that this Court issue an Order Imposing a Stay and granting the following (*specify forms of relief requested*):

1. ☒ That the Automatic Stay be continued in effect as to all creditors until further order of the court.

2. ☐ That the Automatic Stay be continued in effect as to the Secured Creditor/Lessor with respect to the Property until further order of the court.
3. ☐ That the Automatic Stay be continued in effect as to the Secured Creditor/Lessor with respect to actions to collect the debt owed to the Secured Creditor/Lessor until further order of the court.
4. ☐ That a Stay be imposed as to all creditors until further order of the court..
5. ☐ That a Stay be imposed as to the Secured Creditor/Lessor with respect to the Property until further order of the court.
6. ☐ That a Stay be imposed as to the Secured Creditor/Lessor with respect to actions to collect the debt owed to the Secured Creditor/Lessor until further order of the court.
7. ☐ For adequate protection of the Secured Creditor/Lessor by *(specify proposed adequate protection)* ____
8. ☐ For other relief requested, see attached continuation page.

Date: **October 11, 2021**

Respectfully submitted,
Kalani James Robert Green

Movant Name

Price Law Group, APC

Firm Name of attorney for Movant (if applicable)

/s/ Rabin J. Pournazarian

Signature

Rabin J. Pournazarian 186735

Printed Name of Individual Movant or Attorney for Movant

DECLARATION OF MOVANT

I **Rabin J. Pournazarian**, am the **attorney** of Movant. I have read the foregoing motion consisting of **19** pages, and the attached materials incorporated therein by reference. If reference is made to balances owing, my testimony regarding same is based upon the business records of Movant kept in the ordinary course of business of Movant by persons whose responsibility it is to accurately and faithfully record information as to the Debtor's account on or near the date of events recorded. I am one of the custodians of such business records.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

10/11/2021

Date

Rabin J. Pournazarian 186735

Printed name of declarant

/s/ Rabin J. Pournazarian

Signature

DECLARATION OF DEBTOR

DECLARATION OF KALANI GREEN

I, Kalani Green, hereby declare as follows:

1. That I am the Debtor in the Chapter 13 Case No.: 8:21-bk-12425-ES, filed on October 5, 2021. I have personal knowledge of the following facts and testify hereto that if called upon as witnesses, I could and would competently testify thereto in a court of law.
2. That on December 12, 2019, I filed a previous Chapter 13 Bankruptcy bearing Case No: 8:19-bk-14807-ES that was later dismissed on August 25, 2021.
3. My prior bankruptcy was dismissed for failure to tender plan payments.
4. In my previous bankruptcy, I suffered through a deep depression. My wife died prior to my bankruptcy filing, and I had untreated grief and depression. The depression was then exacerbated in 2020 by the pandemic. This depression caused me to fall behind with my plan payments.
5. I am now seeing a mental health professional, and I feel stable enough to maintain my payments and fulfill my financial obligations.
6. I have enough income to maintain my proposed plan payments. I am proposing a 100% repayment to my unsecured creditors.
7. I am the owner of the real property located at 16411 Martin Lane, Huntington Beach, CA 92649. I am also the owner of the 1992 Harley Davidson and 2012 Ford E350.
8. My real property has equity in the amount of \$18,373.00 less the homestead exemption. The 1992 Harley Davidson has equity in the approximate amount of \$2,108.40. My 2012 Ford E350 has equity in the approximate amount of \$3,177.22.
9. I need to file this Chapter 13 Bankruptcy so that I can reorganize my debt and keep my home. If I feel I can't keep my home, I will sell it and repay all my creditors.
10. The real property is my principal residence. I need my vehicles to commute to and from work.
11. This bankruptcy was filed in good faith, with no intention to delay or defraud any creditors.

1 I declare under penalty of perjury under the laws of the United States of America that the foregoing is
2 true and compete to the best of my knowledge. Executed ORANGE COUNTY California on this 7TH day
3 OCTOBER of 2021.

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KALANI GREEN

EXHIBIT “A”

EXHIBIT A
Legal Description

The land hereinafter referred to is situated in the City of Huntington Beach, County of Orange, State of CA, and is described as follows:

A Condominium Comprised of:

Parcel 1:

Unit 244, in the City of Huntington Beach, County of Orange, State of California, as shown and defined on that certain Condominium Plan recorded August 24, 1978 in Book 12813, Page 841 of official records of Orange County, California, and re-recorded September 19, 1978 in Book 12847, Page 833 of official records.

Parcel 2:

An undivided 1/70th interest as tenants in common in and to the common area being a portion of Lots 3 and 4 and Lots 8 through 14 and 23 of Tract No. 10004, in the City of Huntington Beach, County of Orange, State of California, as per map recorded in Book 418, Pages 1 to 4 Inclusive of Miscellaneous Maps, records of Orange County, California, together with all improvements thereon except therefrom Condominium Units 17 through 30, 65 through 116, 137 through 144, 201 through 220 and 241 through 244 located thereon.

Parcel 3:

Non-exclusive easements as set forth in the section entitled "Ingress, Egress and Recreational Rights" of the Article entitled "Easements" of the Declaration of Covenants, Conditions and Restrictions for Broadmoor Huntington Harbour, recorded September 21, 1977 as Instrument No. 20512 in Book 12386, Page 578 of official recorded Orange County, California, as amended and supplemented ("Declaration"), for access, ingres and egress, pedestrian walkway and general recreational purposes.

Parcel 4:

The easements as set forth in section entitled "Encroachments" of the article entitled "Easements" of the declaration.

APN _____

EXHIBIT “B”

Fill in this information to identify your case:

| | | | |
|---|----------------------------------|-------------|-----------|
| Debtor 1 | Kalani James Robert Green | | |
| | First Name | Middle Name | Last Name |
| Debtor 2 (Spouse if, filing) | | | |
| | First Name | Middle Name | Last Name |
| United States Bankruptcy Court for the: | CENTRAL DISTRICT OF CALIFORNIA | | |
| Case number (if known) | 8:21-bk-12425 | | |

☐ Check if this is an amended filing

Official Form 106D

Schedule D: Creditors Who Have Claims Secured by Property

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, copy the Additional Page, fill it out, number the entries, and attach it to this form. On the top of any additional pages, write your name and case number (if known).

1. Do any creditors have claims secured by your property?

- ☐ No. Check this box and submit this form to the court with your other schedules. You have nothing else to report on this form.
- ☒ Yes. Fill in all of the information below.

Part 1: List All Secured Claims

2. List all secured claims. If a creditor has more than one secured claim, list the creditor separately for each claim. If more than one creditor has a particular claim, list the other creditors in Part 2. As much as possible, list the claims in alphabetical order according to the creditor's name.

| | Column A Amount of claim Do not deduct the value of collateral. | Column B Value of collateral that supports this claim | Column C Unsecured portion If any |
|---|---|--|---|
| 2.1 800 Loan Mart <small>Creditor's Name</small> 15821 Ventura Blvd., Suite 185 Encino, CA 91436 <small>Number, Street, City, State & Zip Code</small> | \$4,566.60 | \$10,000.00 | \$0.00 |
| Describe the property that secures the claim: 1992 Harley Davidson Fatboy 1700 miles Encumbered. As of the date you file, the claim is: Check all that apply. <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed Nature of lien. Check all that apply. <input checked="" type="checkbox"/> An agreement you made (such as mortgage or secured car loan) <input type="checkbox"/> Statutory lien (such as tax lien, mechanic's lien) <input type="checkbox"/> Judgment lien from a lawsuit <input type="checkbox"/> Other (including a right to offset) | | | |
| Who owes the debt? Check one. <input checked="" type="checkbox"/> Debtor 1 only <input type="checkbox"/> Debtor 2 only <input type="checkbox"/> Debtor 1 and Debtor 2 only <input type="checkbox"/> At least one of the debtors and another <input type="checkbox"/> Check if this claim relates to a community debt | | | |
| Date debt was incurred 2018 Last 4 digits of account number 6915 | | | |

Debtor 1 **Kalani James Robert Green**

First Name

Middle Name

Last Name

Case number (if known)

8:21-bk-12425

2.2

**Broadmoor Huntington
Harbor Com. As**

Creditor's Name

**C/O Powerstone Property
Management
9060 Irvine Center Drive,
Suite 200
Irvine, CA 92618**

Number, Street, City, State & Zip Code

Describe the property that secures the claim:

**16411 Martin Lane Huntington
Beach, CA 92649 Orange County
Fair market value is based on
comparables in the area.
Payment Due: 1st
Payment Late: 16th**

As of the date you file, the claim is: Check all that apply.

☐ Contingent

☐ Unliquidated

☐ Disputed

Nature of lien. Check all that apply.

☒ An agreement you made (such as mortgage or secured car loan)

☐ Statutory lien (such as tax lien, mechanic's lien)

☐ Judgment lien from a lawsuit

☐ Other (including a right to offset)

\$5,000.00

\$850,000.00

\$0.00

Who owes the debt? Check one.

☒ Debtor 1 only

☐ Debtor 2 only

☐ Debtor 1 and Debtor 2 only

☐ At least one of the debtors and another

☐ Check if this claim relates to a community debt

Date debt was incurred **2018**

Last 4 digits of account number

2.3

Capital One Auto Finance

Creditor's Name

**7933 Preston Road
Plano, TX 75024-2302**

Number, Street, City, State & Zip Code

Describe the property that secures the claim:

**2012 Ford E350 129706 miles
Encumbered**

As of the date you file, the claim is: Check all that apply.

☐ Contingent

☐ Unliquidated

☐ Disputed

Nature of lien. Check all that apply.

☒ An agreement you made (such as mortgage or secured car loan)

☐ Statutory lien (such as tax lien, mechanic's lien)

☐ Judgment lien from a lawsuit

☐ Other (including a right to offset)

\$11,822.78

\$15,000.00

\$0.00

Who owes the debt? Check one.

☒ Debtor 1 only

☐ Debtor 2 only

☐ Debtor 1 and Debtor 2 only

☐ At least one of the debtors and another

☐ Check if this claim relates to a community debt

Date debt was incurred **2018**

Last 4 digits of account number

Debtor 1 **Kalani James Robert Green**

First Name

Middle Name

Last Name

Case number (if known)

8:21-bk-12425

2.4 Shellpoint Mortgage

Creditor's Name

Describe the property that secures the claim:

\$226,627.00

\$850,000.00

\$0.00

**16411 Martin Lane Huntington
Beach, CA 92649 Orange County
Fair market value is based on
comparables in the area.**

Payment Due: 1st

Payment Late: 16th

As of the date you file, the claim is: Check all that apply.

☐ Contingent

☐ Unliquidated

☐ Disputed

Nature of lien. Check all that apply.

☒ An agreement you made (such as mortgage or secured car loan)

☐ Statutory lien (such as tax lien, mechanic's lien)

☐ Judgment lien from a lawsuit

☐ Other (including a right to offset)

**55 Beattie PI #500
Greenville, SC 29601**

Number, Street, City, State & Zip Code

Who owes the debt? Check one.

☒ Debtor 1 only

☐ Debtor 2 only

☐ Debtor 1 and Debtor 2 only

☐ At least one of the debtors and another

☐ Check if this claim relates to a community debt

Date debt was incurred **2018**

Last 4 digits of account number **8158**

Add the dollar value of your entries in Column A on this page. Write that number here:

\$248,016.38

If this is the last page of your form, add the dollar value totals from all pages.

Write that number here:

\$248,016.38

Part 2: List Others to Be Notified for a Debt That You Already Listed

Use this page only if you have others to be notified about your bankruptcy for a debt that you already listed in Part 1. For example, if a collection agency is trying to collect from you for a debt you owe to someone else, list the creditor in Part 1, and then list the collection agency here. Similarly, if you have more than one creditor for any of the debts that you listed in Part 1, list the additional creditors here. If you do not have additional persons to be notified for any debts in Part 1, do not fill out or submit this page.

[] Name, Number, Street, City, State & Zip Code
**The Mortgage Law Firm, PLC
27455 Tierra Alta Way, Ste. B
TSN:147147
Temecula, CA 92590**

On which line in Part 1 did you enter the creditor? **2.4**

Last 4 digits of account number ____

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

**6345 Balboa Blvd. Suite 247
Encino, CA 91316**

A true and correct copy of the foregoing document entitled (*specify*): **Notice of Motion and Motion in Individual Case for Order Imposing a Stay or Continuing the Automatic Stay as the Court Deems Appropriate** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **10/11/2021**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

CHAPTER 13 TRUSTEE: Amrane (SA) Cohen (TR), efile@ch13ac.com
ATTORNEY FOR DEBTOR: Rabin J Pournazarian, enotice@pricelawgroup.com
UNITED STATES TRUSTEE (SA), ustpreion16.sa.ecf@usdoj.gov

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On **10/11/2021**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

JUDGE

Hon. Erithe A Smith
United States Bankruptcy Court
411 West Fourth Street, Suite 5040
Santa Ana, CA 92701

☒ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on , I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

10/11/2021

Ashley Johnson

/s/ Ashley Johnson

Date

Printed Name

Signature

SECURED CREDITORS

Shellpoint Mortgage Servicing LLC
Attn: Bruce Williams, CEO
3680 Wilshire Blvd., Suite P04-1313
Los Angeles, CA 90010

AGENT FOR SERVICE OF PROCESS FOR
Shellpoint Mortgage Servicing LLC
John Brosnan
3680 Wilshire Blvd., Suite P04-1313
Los Angeles, CA 90010

Capital One Bank (USA), National Association (Via Certified Mail # 70201810000090261976)
Attn: Richard Fairbank, CEO
4851 Cox Road
Glen Allen, VA 23060

Wheels Financial Group, LLC dba 1-800LoanMart
Attn: David Chaimowitz, CFO
15400 Sherman Way Suite 300
Van Nuys, CA 91406

AGENT FOR SERVICE OF PROCESS FOR
Wheels Financial Group, LLC
CT Corporation System
330 N Brand Blvd. Suite 700
Glendale, CA 91203

Broadmoor Huntington Harbour Community Association
Attn: John Wicketts, CEO
9060 Irvine Center Drive
Irvine, CA 92618

AGENT FOR SERVICE OF PROCESS FOR
Broadmoor Huntington Harbour Community Association
Powerstone Property Management, Inc.
9060 Irvine Center Drive, Suite 200
Irvine, CA 92618

SEE ADDITIONAL SERVICE LIST ATTACHED

Label Matrix for local noticing
0973-8
Case 8:21-bk-12425-ES
Central District of California
Santa Ana
Fri Oct 8 12:21:31 PDT 2021

Broadmoor Huntington Harbor Com. As
C/O Powerstone Property Management
9060 Irvine Center Drive, Suite 200
Irvine, CA 92618-4623

Capital One Auto Finance
7933 Preston Road
Plano, TX 75024-2302

Ashley Funding Services, LLC
Resurgent Capital Services
PO Box 10587
Greenville, SC 29603-0587

Capital One Bank
P.O. Box 60599
City of Industry, CA 91716-0599

Cavalry SPV I, LLC
500 Summit Lake Drive, Ste 400
Valhalla, NY 10595-2321

Credit One Bank
PO Box 98873
Las Vegas, NV 89193-8873

Credit One Bank
Post office Box 98872
Las Vegas, NV 89193-8872

(p)FIRST SAVINGS BANK
PO BOX 5096
SIOUX FALLS SD 57117-5096

Franchise Tax Board
Bankruptcy Section MS A340
Attn Bankruptcy
Post Office Box 2952
Sacramento, CA 95812-2952

Internal Revenue Service
Centralized Insolvency Operations
PO Box 7346
Philadelphia, PA 19101-7346

LVNV Funding, LLC
Resurgent Capital Services
PO Box 10587
Greenville, SC 29603-0587

Medical Payment Data
P.O. Box 9500
Wilkes Barre, PA 18773-9500

SCE
P.O. Box 750
Rosemead, CA 91770

Shellpoint Mortgage
55 Beattie Pl #500
Greenville, SC 29601-5116

State of California
Vehicle Registration Collections
Franchise Tax Board
P.O. Box 419001
Rancho Cordova, CA 95741-9001

The Mortgage Law Firm, PLC
27455 Tierra Alta Way, Ste. B
TSN:147147
Temecula, CA 92590-3498

United States Trustee (SA)
411 W Fourth St., Suite 7160
Santa Ana, CA 92701-4500

Amrane (SA) Cohen (TR)
770 The City Drive South Suite 3700
Orange, CA 92868-4928

Kalani James Robert Green
16411 Martin Lane
Huntington Beach, CA 92649-1831

Rabin J Pournazarian
6345 Balboa Blvd., Suite 247
Encino, CA 91316-1580

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

FSB Blaze
5501 S Broadband Lane
Sioux Falls, SD 57108

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

| | | |
|----------------------------------|---------------------|----|
| (d)State of California | End of Label Matrix | |
| Vehicle Registration Collections | Mailable recipients | 22 |
| Franchise Tax Board | Bypassed recipients | 1 |
| PO Box 419001 | Total | 23 |
| Rancho Cordova, CA 95741-9001 | | |

Dr. Shirley N. Weber
California Secretary of State

Business Search - Entity Detail

The California Business Search is updated daily and reflects work processed through Thursday, October 7, 2021. Please refer to document **Processing Times** for the received dates of filings currently being processed. The data provided is not a complete or certified record of an entity. Not all images are available online.

C0852495 BROADMOOR HUNTINGTON HARBOUR COMMUNITY ASSOCIATION

Registration Date: 09/20/1977
Jurisdiction: CALIFORNIA
Entity Type: DOMESTIC NONPROFIT
Status: ACTIVE
Agent for Service of Process: **POWERSTONE PROPERTY MANAGEMENT, INC. (C1732387)**

To find the most current California registered Corporate Agent for Service of Process address and authorized employee(s) information, click the link above and then select the most current 1505 Certificate.

Entity Address: 9060 IRVINE CENTER DR
IRVINE CA 92618
Entity Mailing Address: 9060 IRVINE CENTER DR
IRVINE CA 92618

 **Certificate of Status**

A Statement of Information is due EVERY ODD-NUMBERED year beginning five months before and through the end of September.

| Document Type | ↕ | File Date | ↕ | PDF |
|----------------|---|------------|---|---|
| CID STATEMENT | | 09/29/2021 | | Image unavailable. Please request paper copy. |
| SI-COMplete | | 09/29/2021 | | |
| SI-COMplete | | 08/15/2019 | | |
| AGENT RESIGNED | | 01/08/2013 | | |
| REGISTRATION | | 09/20/1977 | | Image unavailable. Please request paper copy. |

* Indicates the information is not contained in the California Secretary of State's database.

- If the status of the corporation is "Surrender," the agent for service of process is automatically revoked. Please refer to California Corporations Code **section 2114** for information relating to service upon corporations that have surrendered.
- For information on checking or reserving a name, refer to **Name Availability**.
- If the image is not available online, for information on ordering a copy refer to **Information Requests**.

- For information on ordering certificates, status reports, certified copies of documents and copies of documents not currently available in the Business Search or to request a more extensive search for records, refer to **Information Requests**.
- For help with searching an entity name, refer to **Search Tips**.
- For descriptions of the various fields and status types, refer to **Frequently Asked Questions**.

Modify Search

New Search

Back to Search Results

Dr. Shirley N. Weber
California Secretary of State

Business Search - Entity Detail

The California Business Search is updated daily and reflects work processed through Tuesday, October 5, 2021. Please refer to document [Processing Times](#) for the received dates of filings currently being processed. The data provided is not a complete or certified record of an entity. Not all images are available online.

201312110170 WHEELS FINANCIAL GROUP, LLC

Registration Date: 04/30/2013
Jurisdiction: CALIFORNIA
Entity Type: DOMESTIC
Status: ACTIVE
Agent for Service of Process: **C T CORPORATION SYSTEM (C0168406)**

To find the most current California registered Corporate Agent for Service of Process address and authorized employee(s) information, click the link above and then select the most current 1505 Certificate.

Entity Address: 15400 SHERMAN WAY SUITE 300
VAN NUYS CA 91406
Entity Mailing Address: 15400 SHERMAN WAY SUITE 300
VAN NUYS CA 91406
LLC Management Managers

 [Certificate of Status](#)

A Statement of Information is due EVERY ODD-NUMBERED year beginning five months before and through the end of April.

| Document Type | ↕ | File Date | ↕ | PDF |
|---------------|---|------------|---|-----|
| SI-COMPLETE | | 06/30/2021 | | |
| SI-COMPLETE | | 02/07/2019 | | |
| REGISTRATION | | 04/30/2013 | | |

* Indicates the information is not contained in the California Secretary of State's database.

Note: If the agent for service of process is a corporation, the address of the agent may be requested by ordering a status report.

- For information on checking or reserving a name, refer to [Name Availability](#).
- If the image is not available online, for information on ordering a copy refer to [Information Requests](#).
- For information on ordering certificates, status reports, certified copies of documents and copies of documents not currently available in the Business Search or to request a more extensive search for records, refer to [Information Requests](#).
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Back to Search Results

Dr. Shirley N. Weber
California Secretary of State

Business Search - Entity Detail

The California Business Search is updated daily and reflects work processed through Tuesday, October 5, 2021. Please refer to document [Processing Times](#) for the received dates of filings currently being processed. The data provided is not a complete or certified record of an entity. Not all images are available online.

C1990207 CAPITAL ONE AUTO FINANCE, INC.

Registration Date: 09/26/1996
Jurisdiction: TEXAS
Entity Type: FOREIGN STOCK
Status: SURRENDER
Agent for Service of Process: **CORPORATION SERVICE COMPANY WHICH
WILL DO BUSINESS IN CALIFORNIA AS CSC -
LAWYERS INCORPORATING SERVICE
(C1592199)**

To find the most current California registered Corporate Agent for Service of Process address and authorized employee(s) information, click the link above and then select the most current 1505 Certificate.

Entity Address: 7933 PRESTON ROAD
PLANO TX 75024
Entity Mailing Address: 7933 PRESTON ROAD
PLANO TX 75024

This entity is not eligible for online records requests. To order a Certificate of Status, please complete and return the [Business Entities Records Order Form](#)

| Document Type | ↕ | File Date | ↕ | PDF |
|----------------------|---|------------|---|-----|
| SURRENDER | | 04/20/2011 | | |
| SI-COMPLETE | | 08/05/2010 | | |
| SI-COMPLETE | | 08/11/2009 | | |
| AMENDED REGISTRATION | | 02/02/2001 | | |
| REGISTRATION | | 09/26/1996 | | |

* Indicates the information is not contained in the California Secretary of State's database.

- If the status of the corporation is "Surrender," the agent for service of process is automatically revoked. Please refer to California Corporations Code [section 2114](#) for information relating to service upon corporations that have surrendered.
- For information on checking or reserving a name, refer to [Name Availability](#).
- If the image is not available online, for information on ordering a copy refer to [Information Requests](#).

- For information on ordering certificates, status reports, certified copies of documents and copies of documents not currently available in the Business Search or to request a more extensive search for records, refer to **Information Requests**.
- For help with searching an entity name, refer to **Search Tips**.
- For descriptions of the various fields and status types, refer to **Frequently Asked Questions**.

Modify Search

New Search

Back to Search Results

 BankFind Suite Home

[Back to Search Results](#)

Capital One Bank (USA), National Association

Institution Details

Data as of 10/01/2021



FDIC Insured
Since 11/22/1994

FDIC Cert #
33954

Established
11/22/1994

Bank Charter Class
National Banks, member of the
Federal Reserve Systems (FRS)

Primary Federal Regulator
Comptroller of the Currency

Secondary Federal Regulator
CFPB

Main Office Address
4851 Cox Road
Glen Allen, VA 23060

Primary Website
www.capitalone.com

Locations
1 domestic locations: 1 state and 0
territories.
2 in foreign locations.

Financial Information
[Create financial reports for this
institution](#)

Consumer Assistance
HelpWithMyBank.gov

Contact the FDIC
[Capital One Bank \(USA\), National
Association](#)

Get additional detailed information by selecting from the following:

Locations

History

Institution Profile

Other Names

3 Branch Offices

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Results

25 



1



Page #

Go

| | | | | | | | |
|--------|-------------|--|--|------------|--------------|----|-------------------------------|
| 55326 | Main Office | Capital One Bank (Usa), National Association | 4851 Cox Road Glen Allen, VA 23060 | Glen Allen | Henrico | VA | Full Service Brick And Mortar |
| 462443 | 1 | Capital One London Branch | 18 Hanover Square London, 00000 | London | Not Supplied | | Full Service Brick And Mort |
| 462444 | 2 | Capital One Bank Canada Br | 5650 Yonge Street 13th Floor North York, York, 00000 | North York | Not Supplied | | Full Service Brick And Mort |

Dr. Shirley N. Weber
California Secretary of State

Business Search - Entity Detail

The California Business Search is updated daily and reflects work processed through Tuesday, October 5, 2021. Please refer to document [Processing Times](#) for the received dates of filings currently being processed. The data provided is not a complete or certified record of an entity. Not all images are available online.

202123510101 SHELLPOINT MORTGAGE SERVICING LLC

Registration Date: 08/18/2021
Jurisdiction: CALIFORNIA
Entity Type: DOMESTIC
Status: ACTIVE
Agent for Service of Process: JOHN BROSNAN
3680 WILSHIRE BLVD., STE P04-1313
LOS ANGELES CA 90010
Entity Address: 3680 WILSHIRE BLVD., STE P04-1313
LOS ANGELES CA 90010
Entity Mailing Address: 3680 WILSHIRE BLVD., STE P04-1313
LOS ANGELES CA 90010
LLC Management One Manager

 [Certificate of Status](#)

A Statement of Information is due within 90 days of registration and then EVERY ODD-NUMBERED year beginning five months before and through the end of August.

| Document Type | ↕ | File Date | ↕ | PDF |
|---------------|---|------------|---|-----|
| REGISTRATION | | 08/18/2021 | | |

* Indicates the information is not contained in the California Secretary of State's database.

Note: If the agent for service of process is a corporation, the address of the agent may be requested by ordering a status report.

- For information on checking or reserving a name, refer to [Name Availability](#).
- If the image is not available online, for information on ordering a copy refer to [Information Requests](#).
- For information on ordering certificates, status reports, certified copies of documents and copies of documents not currently available in the Business Search or to request a more extensive search for records, refer to [Information Requests](#).
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